

Message Text

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ORIGIN L-03

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FM SECSTATE WASHDC

TO AMEMBASSY PRAGUE PRIORITY

LIMITED OFFICIAL USE STATE 059230

EO: 11652: NA

TAGS: CGEN PFOR CZ

SUBJECT: CONSULAR CONVENTION NEGOTIATIONS

REF: (A) PRAGUE 581; (B) STATE 42065

1. DEPARTMENT FORWARDS FOLLOWING COMMENTS ON PROPOSALS
CONTAINED REF A:

A. RE PARA 3 REF (A) DEPARTMENT CONTINUES TAKE
POSITION THAT INVIOABILITY OF CONSULAR RESIDENCES SHOULD
BE LIMITED TO RESIDENCE OF HEAD OF CONSULAR POST. HOWEVER
DEPARTMENT WILL CONSIDER NEW CZECH PROPOSAL FURTHER IF
NECESSARY IN ORDER ACHIEVE AGREEMENT ON THE OTHER ISSUES.

B. DEPARTMENT AGREES IT NECESSARY CONCLUDE FORMAL
ARRANGEMENTS ON IMPORT AND CUSTOMS PRIVILEGES FOR CONSULAR
OFFICERS AND EMPLOYEES. DEPARTMENT NOT AWARE OF INFORMAL
PROCEDURE WHICH COULD BE ADOPTED IN U. S.

C. DEPARTMENT CONCURS THAT ARTICLE 10, US- USSR
CONSULAR CONVENTION, IS POSSIBLE MEANS OF RESOLVING IMPASSE
ON QUESTION OF IMMUNITY OF CONSULAR OFFICERS IN EXERCISING
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ESTATE FUNCTIONS. THIS LANGUAGE, HOWEVER, MUST BE TIED IN WITH SPECIFIC PROVISIONS OF ARTICLE 34.

D. DEPARTMENT BELIEVES THAT CZECH ACCEPTANCE OF THREE- DAY PERIOD FOR NOTIFICATION AND FOUR DAYS FOR ACCESS ACCEPTABLE IN VIEW OF CZECH AGREEMENT ON US FORMULA FOR APPLYING ARTICLE 36 TREATMENT TO DUAL NATIONALS. DEPARTMENT ASSUMES THAT DAYS REFERRED TO ARE " CALENDER DAYS" AND THAT PARENTHETICAL REFERENCE WILL BE MADE TO PRECISE NUMBER HOURS INVOLVED.

E. DEPARTMENT ALSO PREFERS INSERTION SINGLE PROVISION LIMITING ENJOYMENT OF PRIVILEGES AND IMMUNITIES TO CONSULAR PERSONNEL AND MEMBERS OF FAMILY WHO ARE NOT NATIONALS OF THE RECEIVING STATE OR PERMANENT RESIDENTS THEREIN. THIS SINGLE PROVISION WOULD REPLACE ADDITION THIS CONDITION IN VARIOUS ARTICLES PRESCRIBING PRIVILEGES AND IMMUNITIES.

2. DEPARTMENT CONCURS IN EMBASSY ASSESSMENT THAT AGREEMENT COULD BE REACHED ON GENERAL TEXT OF CONVENTION THROUGH LIMITED NUMBER OF ADDITIONAL EXPERT LEVEL SESSIONS. DEPARTMENT PREPARED TO SEND EXPERT TO PRAGUE FOR THIS PURPOSE. DEPENDING UPON EMBASSY' S ABILITY TO SCHEDULE ADDITIONAL MEETINGS, EXPERT CAN BE PROVIDED ON OR ABOUT APRIL 9. EMBASSY REQUESTED TO INFORM DEPARTMENT AS SOON AS POSSIBLE WHETHER THAT DATE IS ACCEPTABLE. RUSH

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*** Current Handling Restrictions *** n/a

*** Current Classification *** LIMITED OFFICIAL USE

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